

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**TYRAN LUCKEY,**

**Plaintiff,**

**vs.**

**HEATH JACKSON, *et al.*,**

**Defendants**

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**CIV. ACT. 1:23-cv-00236-TFM-N**

**MEMORANDUM OPINION AND ORDER**

On November 14, 2023, the Magistrate Judge entered a Report and Recommendation which recommends that Plaintiff's claims for injunctive relief be dismissed without prejudice as moot and Defendant Escambia County Detention Center be dismissed from this action without prejudice prior to service of process pursuant to 28 U.S.C. § 1915(e)(2)(B). *See* Doc. 12. No objections were filed.

Therefore, after due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of this Court. Accordingly, Plaintiff's claims for injunctive relief are **DISMISSED without prejudice as moot** and that Defendant Escambia County Detention Center is **DISMISSED without prejudice** from this action.

As a result, the following Defendants remain: Sheriff Health Jackson, Warden Richard Hetrick, Officer Melissa Floyd, and Captain James Ward. His claims brought pursuant to 42 U.S.C. § 1983 for excessive force, inhumane living conditions, and mistreatment remain as does his request for damages.

This case is **REFERRED BACK** to the Magistrate Judge for further action as appropriate.

**DONE** and **ORDERED** this 15th day of December, 2023.

/s/Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES DISTRICT JUDGE